

1:21 MJ 9050

**AFFIDAVIT**

I, Christopher Fontaine, a Special Agent with the Treasury Inspector General for Tax Administration (TIGTA), (hereinafter Affiant) being first duly sworn, hereby depose and state as follows:

1. Upon information and belief, from in and around April 1, 2020 through current, within the Northern District of Ohio and elsewhere, the defendants, ZAUR KALANTARLI, NIGAR KALANTARLI, ALI KALANTARLI, KANDY RODRIGUEZ, AYDIN KALANTAROV, and GUNAY KALANTARLI, did knowingly and intentionally combine, conspire, confederate, and agree with each other, and with others to commit Wire Fraud (18 U.S.C. 1343) by devising and intending to devise a scheme and artifice to defraud the Small Business Administration, and to obtain money by means of false and fraudulent pretenses, representations, and promises, and for the purpose of executing such scheme and artifice, to transmit and cause the transmission by means of wire communications in interstate commerce any writing, sign, signal, and picture.

2. In addition, based on my training and experience and the facts as set forth in this affidavit, there is probable cause to believe that violations of Title 18, United States Code, Section 1343 (Wire Fraud) and Title 18, United States Code, Section 1349 (Conspiracy to Commit Wire Fraud) have been committed by ZAUR KALANTARLI, NIGAR KALANTARLI, ALI KALANTARLI, KANDY RODRIGUEZ, AYDIN KALANTAROV, and GUNAY KALANTARLI.

3. The source of you Affiant's information and the grounds for his belief are as follows:

### INTRODUCTION

4. I have been a Special Agent with the TIGTA since July 2015. I am presently assigned to the Great Lakes Field Division, Grand Rapids, Michigan Post-of-Duty (POD). I obtained my Bachelors of Applied Science degree in Public Safety Administration from Siena Heights University. I previously worked for the United States Secret Service as a Special Agent for 6 years, and prior to that, for the Grosse Pointe Farms, MI Department of Public Safety as a Police Officer for 9 years. I have completed the 12-week Criminal Investigator Training Program held at the Federal Law Enforcement Training Center in Glynco, Georgia. I received extensive training in conducting investigations that involved analyzing documents and records of individuals and/or businesses, such as bank accounts, invoices, receipts, and other items evidencing violations of the United States Code. I also received extensive training on laws regarding searches, seizures, and the execution of search and arrest warrants. As a Special Agent, my responsibilities include investigations of criminal violations of Titles 18, 26, and 31 of the United States Code.

5. This affidavit is intended to show merely that there is sufficient probable cause for the requested warrant and does not set forth all of my knowledge about this matter.

### PROBABLE CAUSE

#### Background

6. The Coronavirus Aid, Relief, and Economic Security (CARES) Act was passed by Congress and signed into law on March 27, 2020. As part of the CARES Act, the Small Business Administration's (SBA) Economic Injury Disaster Loan (EIDL) program was expanded.

7. Under the expanded EIDL program, small business owners, including agricultural businesses, could apply for loans related to the Coronavirus (COVID-19) pandemic. The EIDL program was designed to provide economic relief to businesses that were experiencing a temporary loss of revenue due to COVID-19.

8. To qualify for a loan under the EIDL program related to the CARES Act, the applicant's business had to have been in operation on February 1, 2020 and must have suffered "substantial economic injury" from COVID-19.

#### The Investigation

9. On July 23, 2020, TIGTA Special Agents Dan Kwiatkowski and Nathan Laframboise reviewed data from the SBA and IRS related to a large number of loans issued under the EIDL program. The screening process focused on when the EIN was issued by the IRS. According to SBA rules, any business with an EIN issued after April 1, 2020, was ineligible for loan under the EIDL program.

10. Kwiatkowski and Laframboise initially identified eight (8) businesses with an EIN that was issued after April 1, 2020, and received a loan under the EIDL program.

11. A review of IRS records revealed none of these eight (8) businesses ever filed a single Federal tax return.

12. Kwiatkowski and Laframboise later identified an additional 56 businesses, totaling 64 businesses, with an EIN issued after April 1, 2020, and received a loan under the EIDL program.

13. When applying for an EIN, the application is processed at a government computer in West Virginia.

14. Kwiatkowski and Laframboise connected all 64 businesses with ZAUR KALANTARLI, NIGAR KALANTARLI, ALI KALANTARLI, KANDY RODRIGUEZ, AYDIN KALANTAROV, and GUNAY KALANTARLI, using Internet Protocol (IP) address, physical address, Social Security number or telephone number.

#### The Fraud

15. Recently, your Affiant received documentation from the SBA concerning EIDL loans associated with ZAUR KALANTARLI, NIGAR KALANTARLI, ALI KALANTARLI, KANDY RODRIGUEZ, AYDIN KALANTAROV, and GUNAY KALANTARLI. In total, the SBA identified and confirmed fifty-three (53) loans distributed between ZAUR KALANTARLI, NIGAR KALANTARLI, ALI KALANTARLI, KANDY RODRIGUEZ, AYDIN KALANTAROV, and GUNAY KALANTARLI, totaling \$7,447,400.00. This money was transferred to bank accounts owned by ZAUR KALANTARLI, NIGAR KALANTARLI, ALI KALANTARLI, KANDY RODRIGUEZ, AYDIN KALANTAROV, and GUNAY KALANTARLI by wire.

#### The Defendants

16. A review of the ThompsonReuters Consolidated Lead Evaluation and Reporting (CLEAR) database revealed familial, business and residential connections between ZAUR KALANTARLI, NIGAR KALANTARLI, ALI KALANTARLI, KANDY RODRIGUEZ, AYDIN KALANTAROV, and GUNAY KALANTARLI, relative to the EIN's and EIDL's.

17. The CLEAR database revealed a registered address for both AYDIN KALANTAROV, and GUNAY KALANTARLI as: 4750 Lincoln Boulevard, Apartment 189, Marina Del Rey, California 90292. ZAUR KALANTARLI was also previously listed at this address. Additionally, a secondary address of 1573 North Herbert Avenue, Los Angeles, CA

was revealed. This address was utilized to register one (1) of the aforementioned sixty-four (64) EIN's after April 1, 2020 for the business: Weedass, LLC. Additionally, ALI KALANTARLI was listed as a business associate of AYDIN KALANTAROV.

18. The CLEAR database revealed a registered address for KANDY RODRIGUEZ as: 1573 North Herbert Avenue, Los Angeles, CA. This address was utilized to register one (1) of the aforementioned sixty-four (64) EIN's after April 1, 2020 for the business: Weedass, LLC.

19. The CLEAR database revealed a registered address for both ZAUR KALANTARLI and NIGAR KALANTARLI as: 27221 Forestview Avenue, Euclid, OH. This address was subsequently utilized to fraudulently apply for and receive EIDL's for: Organic Fruits by Nigar, LLC, Organic Ohio Berries, LLC, Ohio Almonds and Peanuts, LLC, Ohio Organic Almonds, LLC, Ohio Red Wiggler Worms, LLC, and Agricultural Worms and Fertilizers, LLC. Additionally, NIGAR KALANTARLI was listed as the spouse of ZAUR KALANTARLI on IRS documentation.

20. When applying for the EIN for Agricultural Worms and Fertilizers, LLC, the IRS logged the applicant's IP address as 24.210.192.36. Using an open source database, the IP address 24.210.192.36 is associated with Euclid, Ohio.

21. The CLEAR database revealed a registered address for ALI KALANTARLI as: 5389 Playa Vista Drive, Apartment D334, Los Angeles, CA. This address was subsequently utilized to register one (1) of the aforementioned sixty-four (64) EIN's after April 1, 2020 for the business: ALI KALANTARLI.

### CONCLUSION

22. Based on the totality of the facts and circumstances set forth herein, and based upon my training and experience, there is probable cause to believe, that ZAUR KALANTARLI,

NIGAR KALANTARLI, ALI KALANTARLI, KANDY RODRIGUEZ, AYDIN KALANTAROV, and GUNAY KALANTARLI, did knowingly and intentionally combine, conspire, confederate, and agree with each other, and with others to commit Wire Fraud (18 U.S.C. 1343). Accordingly, I respectfully request that the Court issue a Federal Criminal Complaint authorizing the arrests of ZAUR KALANTARLI, NIGAR KALANTARLI, ALI KALANTARLI, KANDY RODRIGUEZ, AYDIN KALANTAROV, and GUNAY KALANTARLI on the forgoing, I request that the Court issue the proposed arrest warrant.



Christopher Fontaine, Special Agent  
Treasury Inspector General for Tax Administration

Sworn to via telephone after submission by reliable electronic means. Fed. R. Crim. P. 3, 4(d), and 4.1 on this 21st day of January 2021.



William H. Baughman, Jr.  
U.S. Magistrate Judge

